

## **Notice of Federal Transit Administration (FTA) Requirements**

### **A. Applicability of Federal Grant Contract**

1. This procurement may be subject to one or more financial assistance contracts between Sound Transit and the US Department of Transportation, which incorporate the current FTA Master Agreement and Circular 4220.1F as amended. The US Department of Transportation's level of financial assistance may be between zero and eighty percent (0-80%). The Submitter is required to comply with all terms and conditions prescribed for third party contracts in this solicitation.
2. Federal laws, regulations, policies and administrative practices may be modified or codified after the date these Agreements are established and may apply to this solicitation. To assure compliance with changing federal requirements, Contract Award indicates that the Submitter agrees to accept all changed requirements that apply to these Agreements.

### **3. Incorporation of Federal Transit Administration terms:**

All contract provisions required by US DOT, as set forth in FTA Circular 4220.1F as amended and the Master Grant agreement, are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in the solicitation. The Submitter shall not perform any act, fail to perform any act, or refuse to comply with any WSDOT / Sound Transit request that would cause WSDOT or Sound Transit to be in violation of the FTA terms and conditions.

### **B. Federal Funding Limitation**

The Submitter understands that funds to pay for the Submitter's performance under these Agreements are anticipated to be made available from the US Department of Transportation through the Federal Transit Administration. WSDOT's and Sound Transit's obligation hereunder is payable from funds that are appropriated and allocated by FTA for the performance of these Agreements. If funds are not allocated, or ultimately are disapproved by FTA, WSDOT and Sound Transit may terminate or suspend Submitter's services without penalty. Sound Transit will notify WSDOT, and WSDOT will notify the Submitter promptly in writing of the non-allocation, delay or disapproval of funding.

### **C. FTA Requirements**

The Submitter shall also comply with the FTA requirements to be included in the WSDOT Final Agreement as Exhibit A, Attachment 1.